

# SB3577



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB3577

Introduced 2/10/2010, by Sen. Jeffrey M. Schoenberg

#### SYNOPSIS AS INTRODUCED:

20 ILCS 405/405-10	was 20 ILCS 405/35.3
20 ILCS 405/405-20	was 20 ILCS 405/35.7
20 ILCS 405/405-250	was 20 ILCS 405/35.7a
20 ILCS 405/405-255	was 20 ILCS 405/35.8
20 ILCS 405/405-420 new	

Amends the Department of Central Management Services Law. Authorizes the Department to direct, review, and make final decisions for the executive branch of State government concerning the acquisition and use of information technology equipment and resources. Redefines "electronic data processing equipment" as "information technology equipment and resources". Effective January 1, 2011.

LRB096 16581 JAM 31855 b

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Department of Central Management Services  
5 Law of the Civil Administrative Code of Illinois is amended by  
6 changing Sections 405-10, 405-20, 405-250, and 405-255 and by  
7 adding Section 405-420 as follows:

8 (20 ILCS 405/405-10) (was 20 ILCS 405/35.3)

9 Sec. 405-10. Director's duties; State policy. It shall be  
10 the duty of the Director and the policy of the State of  
11 Illinois to do the following:

12 (1) Place financial responsibility on State agencies  
13 (as defined in subsection (b) of Section 405-5) and hold  
14 them accountable for the proper discharge of this  
15 responsibility.

16 (2) Require professional, accurate, and current  
17 accounting with the State agencies (as defined in  
18 subsection (b) of Section 405-5).

19 (3) Decentralize fiscal, procedural, and  
20 administrative operations to expedite the business of the  
21 State and to avoid expense, unwieldiness, inefficiency,  
22 and unnecessary duplication where decentralization is  
23 consistent with proper fiscal management.

1           (4) Manage or delegate the management of the  
2 procurement, retention, installation, maintenance, and  
3 operation of all information technology equipment and  
4 resources ~~electronic data processing equipment~~ used by  
5 State agencies as defined in Section 405-20, so as to  
6 achieve maximum economy consistent with development of  
7 adequate and timely information in a form suitable for  
8 management analysis, in a manner that provides for adequate  
9 security protection and back-up facilities for that  
10 equipment, the establishment of bonding requirements, and  
11 a code of conduct for all information technology ~~electronic~~  
12 ~~data processing~~ personnel to ensure the privacy of  
13 information technology equipment and resources ~~electronic~~  
14 ~~data processing information~~ as provided by law.

15           For the purpose of this Section, "information technology  
16 equipment and resources" has the meaning set forth for that  
17 term in Section 405-420.

18           (Source: P.A. 91-239, eff. 1-1-00.)

19           (20 ILCS 405/405-20) (was 20 ILCS 405/35.7)

20           Sec. 405-20. Fiscal policy information to Governor;  
21 statistical research planning.

22           (a) The Department shall be responsible for providing the  
23 Governor with timely, comprehensive, and meaningful  
24 information pertinent to the formulation and execution of  
25 fiscal policy. In performing this responsibility the

1 Department shall have the power and duty to do the following:

2 (1) Control the procurement, retention, installation,  
3 maintenance, and operation, as specified by the Director,  
4 of information technology equipment and resources  
5 ~~electronic data processing equipment~~ used by State  
6 agencies in such a manner as to achieve maximum economy and  
7 provide adequate assistance in the development of  
8 information suitable for management analysis.

9 (2) Establish principles and standards of statistical  
10 reporting by State agencies and priorities for completion  
11 of research by those agencies in accordance with the  
12 requirements for management analysis as specified by the  
13 Director.

14 (3) Establish, through the Director, charges for  
15 statistical services requested by State agencies and  
16 rendered by the Department. The Department is likewise  
17 empowered through the Director to establish prices or  
18 charges for all statistical reports purchased by agencies  
19 and individuals not connected with State government.

20 (4) Instruct all State agencies as the Director may  
21 require to report regularly to the Department, in the  
22 manner the Director may prescribe, their usage of  
23 information technology equipment and resources ~~electronic~~  
24 ~~information devices~~, the cost incurred, the information  
25 produced, and the procedures followed in obtaining the  
26 information. All State agencies shall request of the

1 Director any statistical services requiring the use of  
2 information technology equipment and resources ~~electronic~~  
3 ~~devices~~ and shall conform to the priorities assigned by the  
4 Director in using information technology equipment and  
5 resources ~~those electronic devices~~.

6 (5) Examine the accounts and statistical data of any  
7 organization, body, or agency receiving appropriations  
8 from the General Assembly.

9 (6) Install and operate a modern information system  
10 utilizing equipment adequate to satisfy the requirements  
11 for analysis and review as specified by the Director.  
12 Expenditures for statistical services rendered shall be  
13 reimbursed by the recipients. The reimbursement shall be  
14 determined by the Director as amounts sufficient to  
15 reimburse the Statistical Services Revolving Fund for  
16 expenditures incurred in rendering the services.

17 (b) In addition to the other powers and duties listed in  
18 this Section, the Department shall analyze the present and  
19 future aims, needs, and requirements of statistical research  
20 and planning in order to provide for the formulation of overall  
21 policy relative to the use of information technology equipment  
22 and resources ~~electronic data processing equipment~~ by the State  
23 of Illinois. In making this analysis, the Department under the  
24 Director shall formulate a master plan for statistical  
25 research, utilizing information technology equipment and  
26 resources ~~electronic equipment~~ most advantageously, and

1 advising whether information technology equipment and  
2 resources ~~electronic data processing equipment~~ should be  
3 leased or purchased by the State. The Department under the  
4 Director shall prepare and submit interim reports of meaningful  
5 developments and proposals for legislation to the Governor on  
6 or before January 30 each year. The Department under the  
7 Director shall engage in a continuing analysis and evaluation  
8 of the master plan so developed, and it shall be the  
9 responsibility of the Department to recommend from time to time  
10 any needed amendments and modifications of any master plan  
11 enacted by the General Assembly.

12 (c) For the purposes of this Section, Section 405-245, and  
13 paragraph (4) of Section 405-10 only, "State agencies" means  
14 all departments, boards, commissions, and agencies of the State  
15 of Illinois subject to the Governor.

16 (d) For the purpose of this Section, "information  
17 technology equipment and resources" has the meaning set forth  
18 for that term in Section 405-420.

19 (Source: P.A. 94-91, eff. 7-1-05.)

20 (20 ILCS 405/405-250) (was 20 ILCS 405/35.7a)

21 Sec. 405-250. Statistical services; use of information  
22 technology equipment and resources ~~electronic data processing~~  
23 ~~equipment~~. The Department may make statistical services and the  
24 use of information technology equipment and resources  
25 ~~electronic data processing equipment~~, including necessary

1 telecommunications lines and equipment, available to local  
2 governments, elected State officials, State educational  
3 institutions, and all other governmental units of the State  
4 requesting them. The Director is empowered to establish prices  
5 and charges for the statistical services so furnished and for  
6 the use of information technology equipment and resources ~~the~~  
7 ~~electronic data processing equipment~~ and necessary  
8 telecommunications lines and equipment. The prices and charges  
9 shall be sufficient to reimburse the cost of furnishing the  
10 services and use of equipment and lines.

11 For the purpose of this Section, "information technology  
12 equipment and resources" has the meaning set forth for that  
13 term in Section 405-420.

14 (Source: P.A. 91-239, eff. 1-1-00.)

15 (20 ILCS 405/405-255) (was 20 ILCS 405/35.8)

16 Sec. 405-255. Division of Management Information. The  
17 Department, through its Division of Management Information,  
18 may make statistical services and the use of information  
19 technology equipment and resources ~~electronic data processing~~  
20 ~~equipment~~ available to local governments, elected State  
21 officials, State educational institutions, and all other  
22 governmental units of the State requesting them. The Director  
23 is empowered to establish prices and charges for the  
24 statistical services so furnished and for the use of  
25 information technology equipment and resources ~~the electronic~~

1 ~~data processing equipment.~~ The prices and charges shall be  
2 sufficient to reimburse the cost of furnishing the services and  
3 use of information technology equipment and resources  
4 ~~equipment.~~

5 For the purpose of this Section, "information technology  
6 equipment and resources" has the meaning set forth for that  
7 term in Section 405-420.

8 (Source: P.A. 91-239, eff. 1-1-00.)

9 (20 ILCS 405/405-420 new)

10 Sec. 405-420. Direction and decisions for information  
11 technology. The Department of Central Management Services  
12 shall have the authority to direct, review, and make final  
13 determinations regarding the purchase, standardization, best  
14 use, and impact on State government operations of any  
15 information technology equipment and resources required by the  
16 various State agencies, as defined in subsection (b) of Section  
17 405-5, to perform necessary functions of State government  
18 related to the overall direction of the use of technology.

19 As the distinction among voice, video, and data  
20 technologies, including hardware, software, transport  
21 facilities, and associated services, continues to become more  
22 and more difficult to identify, it is necessary to clarify the  
23 importance of having a central point of determination as to the  
24 strategic and best use of those technologies for the long-term  
25 benefit of State Government and its information technologies

1 operations. The definition of "information technology  
2 equipment and resources" shall include, but is not limited to:  
3 (i) existing and future telecommunications and communications  
4 services and data processing, specifically including voice,  
5 video, and data hardware and software, networking, and  
6 transport facilities; (ii) mainframe, mid-range, and personal  
7 computing hardware of whatever configuration, whether as a  
8 wired or fixed asset or mobile or personal device; and (iii)  
9 Internet-based technologies, integrated hardware devices, and  
10 future technologies that combine and streamline the foregoing.  
11 This definition includes devices that combine both traditional  
12 telecommunication and data processing or transfer  
13 functionality.

14 Centralized technology decision making is consistent with  
15 and necessary to support and ensure the success of the mandate  
16 described in the FY2004 Budget Implementation Act (Public Act  
17 93-25) and implemented by Section 405-410 of this Law. It is  
18 critical to the overall efficiency and cost effectiveness of  
19 technology use by State agencies for the Department of Central  
20 Management Services to make final decisions or recommendations  
21 on all technology transactions. However, the Department  
22 reserves the right to delegate to a State agency the power to  
23 make certain technology decisions on a case-by-case basis upon  
24 prior approval by the Director or a person designated by the  
25 Director for the purpose of those technology decisions.

26 As used in this Law, the term "electronic data processing

1 equipment" shall have the same meaning as the term "information  
2 technology equipment and resources" set forth in this Section.

3 Section 99. Effective date. This Act takes effect January  
4 1, 2011.